

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

PAUL TRYON,

Charging Party,

-v-

LAKE COUNTY and CHUCK
WHITSON,

Respondents.

Case #'s 0071012103 and
0071012104
ORDER

Paul Tryon (Tryon) filed a complaint with the Department of Labor and Industry (Department) alleging that Lake County and Chuck Whitson discriminated against him on the basis of his political beliefs. Following an informal investigation, the Department determined that a preponderance of the evidence did not support Tryon's allegations of unlawful discrimination. The Department issued a Notice of Dismissal. Tryon filed an objection with the Montana Human Rights Commission (Commission). The Commission considered the matter on July 25, 2007.

The Commission reviews a decision of the Department to dismiss a complaint using an abuse of discretion standard. *Chap. 28, L. 2007, New Section 6(2)*. After careful consideration, the Commission concludes the determination of the Department to dismiss the complaint in this case is not an abuse of discretion.

A party may ask a district court to review the decision of the Commission to affirm the dismissal of a complaint. *Chap. 28, L. 2007, New Section 6(3); Mont. Code Ann. § 2-4-702*.

Alternatively, if a charging party chooses to commence a civil action, charging party has 90 days after the receipt of this order to petition a district court, in the district where the alleged violation occurred, for the appropriate relief. *Chap. 28, L. 2007, New*

Section 6(3). If a charging party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

IT IS HEREBY ORDERED, that Paul Tyron's objection is **overruled**. The Commission affirms the determination of the Human Rights Bureau to dismiss the complaint against Lake County and Chuck Whitson.

DATED this ____ day of August, 2007.

Chair Ryan Rusche
Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned secretary for the Human Rights Commission certifies that a true and correct copy of the foregoing ORDER was mailed to the following by U.S. Mail, postage prepaid, on this _____ day of August, 2007.

PAUL TRYON
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ST IGNATIUS MT 59865

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Montana Human Rights Bureau